

ORDINANCE NO. 1501

AN ORDINANCE OF THE LODI CITY COUNCIL
REPEALING LODI MUNICIPAL CODE CHAPTER 13.12 - SEWER SERVICE -
AND REENACTING A NEW ORDINANCE RELATING TO SEWER SERVICE

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Chapter 13.12, Sewer Service, is repealed in its entirety and a new ordinance relating to sewer service is reenacted as follows:

Lodi Municipal Code, November 28, 1990

Chapter 13.12
SEWER SERVICE

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 - 13.12.020 Definitions.
- Article II. Discharge Restrictions
 - 13.12.030 Prohibited discharges.
 - 13.12.040 Storm drainage and groundwater.
 - 13.12.050 Unpolluted water.
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Article I. General Provisions

13.12.010

Purpose and policy. These wastewater discharge regulations set uniform requirements for discharges of domestic, industrial waste and storm drainage water into the city sewerage system to enable the city to comply with the administrative provisions of the Clean Water Grant Regulations, water quality requirements set by the Regional Water Quality Control Board and the applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any other discharge criteria which are required or authorized by state or federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into those systems.
(Prior code § 20-1)

13.12.020

Definitions. Unless otherwise defined in this chapter, terms shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation. Waste constituents and characteristics shall be measured by the approved methods as defined below. The following words shall have these meaning(s):

1. "Approved methods" means the analytical methods listed in the Federal Register 40 CFR Part 136, unless expressly stated, or as established by federal or state regulatory agencies.

2. "Bedroom(s)" means room(s) of a residential user designed or used primarily for sleeping purposes, as determined by the city, based on criteria such as those rooms having closets.

3. "Biochemical oxygen demand (BOD)" means the amount of dissolved oxygen required to meet the metabolic needs of aerobic microorganisms in water containing organic matter as determined by approved methods and, unless otherwise noted, exerted in a period of five days at twenty degrees Celsius.

4. "By-pass" means an intentional diversion of waste or wastewater from any portion of an industrial users treatment facility.

5. "Chemical oxygen demand (COD)" means the oxygen equivalent of that portion in a sample that is susceptible to oxidation by a strong chemical oxidant as determined by approved methods .

6. "Commercial user" means any user of the sewerage system except those specifically classified as residential user or industrial user.

7. "Community sewer or collection system" means a sewer owned and operated by the city tributary to the treatment plant. It includes, but is not limited to sanitary and industrial, pumping stations, syphons, canal crossings, manholes, and sewers leading from the property line or easement line to the collection sewer.

8. "Compatible pollutant" means biochemical oxygen demand, suspended solids, and fecal coliform bacteria, **plus** additional pollutants identified in the city's National Pollutant Discharge Elimination System (NPDES) permit.

9. "Connection fee" means a charge, as described in this chapter, levied on new construction. The fee is normally paid at the time of issuance of a building permit.

10. "Contamination" means an impairment of the quality of the receiving waters by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease.

11. "Critical user" means a user who is required to obtain a permit, as defined in Article VI of this chapter.

12. "Dissolved solids" means residue upon evaporation of water after filtration as determined by approved methods. Also termed "total dissolved solids" or "TDS."

13. "Domestic sewage" means the waterborne wastes derived from the ordinary living processes and of such character as to permit

satisfactory disposal, without special treatment, into the community sewer.

14. "Domestic system" means a portion of the sewerage system and treatment facility used primarily for domestic sewage.

15. "Employee" means, for "unit of measure" purposes, the total number of all classifications of employees from all shifts that physically work at the site producing the wastewater discharge. Temporary or part time employees shall be prorated to their time equivalent to a full time employee.

16. "Federal Act or Federal Regulations" means the federal Water Pollution Control Act, PL 92-500, and any amendments thereto; as well as any guidelines, limitations and standards promulgated by the Environmental Protection Agency pursuant to the Act including the Federal Register, 40 CFR Subchapter IV for pretreatment regulations and the Federal Clean Water Act.

17. "Fixed total dissolved solids" means residue upon evaporation of water and heating to five hundred and fifty degrees centigrade after filtration as determined by approved methods.

18. "Gpd or gpd" means gallons per day.

19. "High strength user" means a user with discharge volume in excess of 0.2 MGY or a daily average waste strength in excess of the limitations in Section 13.12.110 or in excess of three hundred milligrams per liter BOD and/or three hundred milligrams per liter SS and/or nine hundred milligrams per liter COD or as determined by the public works director.

20. "Holding tank waste" means any domestic waste from holding tanks, contained in vessels, chemical toilets, campers, trailers, septic tanks, vacuum tank trucks, or other stationary or mobile sources.

21. "Industrial system" means the portion of the sewerage system used primarily for industrial waste which discharges directly to the ponding and irrigation system at the treatment plant.

22. "Industrial user" means a user who discharges industrial waste to the sewerage system. Any user of a publicly-owned treatment works identified in the U.S. Standard Industrial Classification Manual, 1987, under the following divisions:

Division A	Agriculture, Forestry, and Fishing
Division B	Mining
Division D	Manufacturing
Division E	Transportation, Communications, Electric, Gas and Sanitary Service
Division I	Services

A user in these divisions may be excluded from the industrial user category if the discharge is essentially domestic sewage. See also "User".

23. "Industrial waste" means the waterborne waste and wastewater from any production, manufacturing or processing operation of whatever nature, including institutional and

commercial operations, where water is used for the removal of significant quantities of waste other than from human habitation of premises connected to the domestic or industrial sewers. Contents of chemical toilets, septic tanks, waste holding tanks and waste sumps shall be classed as industrial waste.

24. "Interference" means the inhibition or disruption of the sewer system, treatment processes or operations of the treatment plant which contributes to the violation of its discharge requirements including inhibition or disruption of sludge disposal practices or compliance with any of the statutory authorities listed in the Federal Register **40** CFR Part 403.3(i).

25. "mgd or MGD" is the abbreviation for million gallons per day.

26. "MGY" is the abbreviation for million gallons per year.

27. "Mass emission rate" means the weight of material discharged to the sewerage system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.

28. "Moderate strength user" means users with a wastewater strength of less than three hundred milligrams per liter of BOD and **SS** and having a moderate waste flow less than 0.2 MGY.

29. "Natural outlet" means any outlet into a watercourse, ditch, pond, lake or other body or surface or groundwater.

30. "New source" means an industrial user discharging or planning to discharge from a source at which:

1) Construction is carried out at a site at which no other source is located,

2) Construction totally replaces the process or production equipment that produces the wastewater at an existing source, or

3) The wastewater producing process constructed is substantially independent of an existing source at the same site.

31. "Nuisance" means anything which is injurious to health, or is offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property, or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

32. "Pass through" means the introduction of a pollutant by a user into the sewerage system which leaves the treatment plant in quantities or concentrations that alone or in conjunction with other sources, cause a violation of the city's discharge requirements.

33. "Permit" means wastewater discharge permit issued by the public works department.

34. "Person" means any individual, partnership, firm, association, corporation or public agency, including the state of California and the United States of America.

35. "pH" means the logarithm of the reciprocal of the hydrogen-ion activity in moles per liter of solution as determined by approved methods.

36. "Pollutant" means any substance which can cause pollution.
31. "Pollution" means an alteration of the quality of the receiving waters by waste to a degree which unreasonably affects such waters for beneficial use or facilities which serve such beneficial uses. Pollution may include, but not be limited to, contamination.
38. "pretreatment" means the treatment or flow limitation of industrial wastes prior to discharge to the city sewerage system.
39. "Private sewer, building sewer or house service sewer" means that part of the building sewer beginning at the junction thereof with the building plumbing or drainage system and terminating at the property line or at the easement line.
40. "Residential user" means a single-family house or each unit of a duplex, flat, group dwelling, apartment or any other living accommodation which has facilities for sleeping and the preparation of food, whether sanitary facilities connected to the collection system are provided for the occupants thereof, whether or not such sanitary facilities are installed therein or connected thereto; living accommodations designed or used for short-term transient lodging which are rented to other than the controlling occupant of the premises shall be considered as a commercial unit.
41. "Settleable solids" means that portion of matter present in sewage, industrial waste or waters introduced into the storm drains that readily settles out of the carrier liquid in a quiescent state as determined by approved methods.
42. "Sewage" means the waterborne wastes received from human habitation and use of premises for residential, commercial, institutional and industrial purposes.
43. "Sewage service charge" means an regular charge for each user based upon each user's proportional use of the sewerage system.
44. "Sewage service unit or SSU" is defined as each increment of flow equal to the flow from an average two-bedroom residence (two hundred and six gallons per day) and having a strength less than three hundred milligrams per liter BOD and SS.
45. "Sewer" means a pipe or conduit which carries sewage and/or industrial wastes and to which storm, surface and groundwaters are not intentionally admitted. When used in this chapter, "sanitary sewer" means those pipelines operated primarily for the collection of domestic sewage. "Industrial sewer" means those pipelines operated primarily for the collection of industrial waste. "Storm sewer" means those pipelines operated primarily for the collection of stormwaters.
46. "Sewerage system" means all works for collecting, pumping, treating, disposing, storing or reclaiming sewage, industrial waste and/or storm water .
47. "Slug" means a sudden large increase or decrease (factor of two or more) from normal waste volume or concentration.
48. "Storm drain system" means any portion of the sewerage system used for the conveyance of stormwater or surface or

subsurface drainage water.

49. "Suspended solids" or "SS" means that portion of residue present in sewage, industrial waste, or waters introduced into the storm drains that is retained on a filter (nonfilterable) as determined by approved methods.

50. "Treatment plant" means the White Slough Water Pollution Control Facility of the city, and includes but is not limited to the domestic sewage treatment facilities, industrial waste treatment facilities, sludge disposal facilities, and irrigatable lands.

51. "Unpolluted water" means water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the agency having jurisdiction thereof for disposal to the storm drain system or natural drainages or directly to surface waters.

52. "User" means any person that discharges, causes or permits the discharge of wastewater or stormwater into a sewerage system.

53. "Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, washing, manufacturing or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

54. "Wastewater" means waste and water, whether treated or untreated, discharged into or permitted to enter a sewerage system.

55. "Wastewater constituents and characteristics" means the individual chemical, physical, bacteriological and radiological parameters and such other parameters that serve to define, classify or measure the contents, quality and strength of wastewater as determined by a state certified laboratory, and the volume, rate of flow or other parameters that serve to define quantity.

56. "Wastewater discharge permit" means a permit issued by the city for a user to discharge into a sewerage system. (Prior code 20-2)

Article 11. Discharge Restrictions

13.12.030

Prohibited discharges. No person shall discharge to the sewerage system, natural outlet, street or earth surface, wastes which cause, threaten to cause or are capable of causing either alone or by interaction with other substances any of the following:

A. Fire or explosion or injury in any way to the sewerage system or the operation of the treatment plant. Prohibited materials include, but are not limited to, gasoline, kerosene, alcohols, sulfides, or any other substance which causes two consecutive readings on an explosion hazard meter at any point in the sewerage system to be more than five percent (5%), or any single reading more than ten percent (10%) of the Lower Explosive

Limit (LEL).

B. Obstruction of flow in a sewerage system or injury of the system or damage to the sewerage collection, or treatment facilities by ashes, cinders, sand, mud, grit, straw, offal, shavings, metal, glass, rags, feathers, tar, plastics, wood, sawdust, manure or other solid or viscous substances capable of causing obstruction of the flow or other interference with the proper operation of the sewerage system as determined by the public works director;

C. Danger to life or safety of personnel, or emission of chemical contaminants into the atmosphere of any confined space of the sewerage system at levels in excess of Threshold Limit Values (TLV) established for airborne Contaminants.

D. A nuisance or prevention of the effective maintenance or operation of the sewerage system, through having or creating a strong, unpleasant odor;

E. Air pollution by the release of toxic or malodorous gases or malodorous gas-producing substances;

F. Interference or pass through at the treatment plant affecting wastewater treatment, land disposal, or sludge or scum processing and disposal;

G. A detrimental environmental impact or a nuisance in the waters or wastewaters of the state or a condition unacceptable to any public agency having regulatory jurisdiction over the city;

H. Discoloration or any other condition in the quality of the city's treatment plant effluent and/or storm system discharge in such a manner that receiving water quality requirements established by law cannot be met by the city;

I. Conditions at or near the city's treatment facilities which violate any statute or rule, regulation or ordinance of any public agency of state or federal regulatory body;

J. Quantities or rates of flow or pollutants which cause interference or overload the city's sewerage system or treatment facilities or cause excessive city collection or treatment costs or hamper treatment facility operation;

K. Pollutants which can cause corrosive structural damage to the sewerage system or treatment facilities, but in no case a pH lower than 5.0 is allowed per federal regulations:

L. Any influent to the treatment plant to be over 104 degrees fahrenheit (forty degrees Celsius). (Prior code § 20-3)

13.12.040

Storm drainage and groundwater. Stormwater, groundwater, rainwater, street drainage, subsurface drainage, roof downspouts, exterior foundation drains, swimming pools, groundwater from cleanup operations, or other sources of drainage water shall not be discharged through direct or indirect connections to a domestic system without a permit issued by the public works department . (Prior code § 20-4)

13.12.050

unpolluted water.

A. Unpolluted water, including but not limited to, cooling water, process water or blow-down from cooling towers or evaporative coolers shall not be discharged through direct or indirect connection to the community sewer unless a permit is issued by the city. The city may approve the discharge of such water only when no reasonable alternative method of disposal is available.

B. If a permit is granted for the discharge of such water into the community sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the public works director. (Prior code § 20-5)

13.12.060

Septic tanks. No person shall be permitted to use a septic tank for disposal of wastewater if the property to be served is within one hundred feet of the domestic system. Where such domestic sewer exists and buildings are inhabited or used by human beings, the property owner(s) shall install lateral service connection(s) in accordance with this chapter. (Prior code § 20-6)

13.12.070

Radioactive wastes. No person shall discharge or cause to be discharged any radioactive waste into a sewerage system except:

A. When the person is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials; and

B. When the waste is discharged in strict conformity with current California Radiation Control Regulations (California Administrative Code, Title 17) and the Atomic Energy Commission regulations and recommendations for safe disposal; and

C. When the person is in compliance with all rules and regulations of all other applicable regulatory agencies; and

D. When the person is in possession of a permit issued by the city which specifically allows such discharges. (Prior code § 20-7)

13.12.080

Garbage grinders.

A. Wastes from garbage grinders shall not be discharged into a domestic sewer system except:

1. Wastes generated in normal daily preparation of food by residential users; or

2. Where the user has obtained a permit for that specific use from the city, and agrees to undertake whatever self-monitoring is required to enable the public works director to equitably determine the user charges based on the waste constituents and characteristics.

B. Garbage grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the domestic sewer. Garbage grinders shall not be

used for grinding plastic, paper products, inert materials or garden refuse. (Prior code § 20-8)

13.12.090

Direct discharge—Use of service sewer. No person shall discharge any substances directly into a manhole or other opening in a sewerage system except through an approved private sewer or house service sewer. (Prior code § 20-9)

13.12.100

Holding tank waste. A user proposing to discharge holding tank domestic waste into a domestic sewer must secure a permit for each separate discharge. This permit shall state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge, the wastewater constituents and characteristics and origin of such wastes. Holding tank wastes discharged at the treatment plant facilities may be given a discharge permit which would apply to more than one separate discharge at the discretion of the public works director. If a permit is granted for discharge of such waste into the domestic sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the public works director. (Prior code § 20-10)

13.12.110

Restricted discharges. No person shall discharge or cause to be discharged to a sewerage system any of the following without first obtaining a wastewater discharge permit that specifically permits such waste discharge characteristics:

A. Discharge during a daily twenty-four-hour period in excess of fifty thousand gallons;

B. Waters or waste with a pH factor lower than 6.5 or higher than 8.5 for more than three hours over a twenty-four hour period;

C. Discharges containing metal pickling or etching wastes or plating solutions, whether neutralized or not;

D. Any discharge which has an average daily concentration exceeding the following technically based local limits:

Toxicant	Maximum Allowable Concentration (mg/L)
Arsenic	2.5
Cadmium	0.5
Chromium, total	29
Copper	3.0
Cyanide, total	1.4
Lead	4.0
Mercury	0.8
Nickel	13
Silver	2.9
Zinc	3.5

E. Discharges containing phenols or other taste-producing and

odor-producing substances in concentrations exceeding limits which may be established by the public works director as necessary to meet water quality requirements;

F. Discharges to the collection system at temperatures exceeding one hundred sixty degrees Fahrenheit (seventy degrees Celsius) or exceeding one hundred ten degrees Fahrenheit (forty-three degrees Celsius) for any eight-hour period;

G. Materials which exert or cause in the sewerage system or receiving waters unusual concentrations either of inert suspended solids (such as but not limited to, soil solids, fuller's earth, lime slurries, lime residues, plastics, or ash).

H. Discharges containing fixed total dissolved solids (such as, but not limited, to sodium chloride, sodium sulphate, or other inorganic salts) in excess of six hundred milligrams per liter or in such quantities to cause the effluent TDS of the treatment plant to exceed five hundred milligrams per liter.

I. Any industrial waste, based upon twenty-four-hour composite sampling, (or other representative sampling when not feasible) containing settleable solids in excess of two hundred milligrams per liter, suspended solids in excess of one thousand milligrams per liter and BOD in excess of one thousand milligrams per liter. (Prior code § 20-11)

13.12.115

Grease, oil, and sand interceptors.

Grease, oil, and sand interceptors shall be provided by the discharger when they are necessary for the proper handling of wastes containing grease in excess of one hundred fifty milligrams per liter of animal and vegetable origin and fifty milligrams per liter of mineral origin, or any flammable wastes, sand, grit and other harmful ingredients. All interceptors shall be of a type and capacity approved in writing, prior to installation, by the public works director, and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, are gastight and watertight. Grease and/or oil/sand interceptors shall be constructed in any place or building having a capacity to serve group meals or commercial and industrial cleaning facilities. Where installed, all grease, oil, sand and grit interceptors shall be maintained by the owners at owner's expense in continuous efficient operation at all times. Materials collected shall not be reintroduced into the sewerage system. Records of all maintenance, cleaning, and hauling of materials shall be maintained by the owner and such records shall be available at all times for inspection by City personnel.

13.12.120

Federal pretreatment requirements. Users in industrial

categories subject to the categorical pretreatment standards development by the EPA under the Clean Water Act of 1977 (PL 95 217) 33 U.S.C. 1251 et seq. are required to achieve limitations based on Best Practical Control Technology (BPT) immediately and Best Available Technology Economically Achievable (BAT) by July 1, 1983 in accordance with Sections 301 and 304. New sources are required to comply with New Source Performance Standards (NSPS) based on Best Available Demonstrated Control Technology (BDT) for industrial users in terms of concentration and equivalent mass values. Users must comply with pretreatment standards promulgated pursuant to Section 307 and the Federal register 40 CFR Subchapter IV. Dilution of any discharge may not be used to comply with any pretreatment standards. Categorical industrial users must submit Baseline Monitoring Reports, compliance schedule reports, 90 day compliance reports, and periodic reports on continued compliance as required and such reports must be signed by an authorized representative of the industrial user and be retained for a minimum of three years (or period of litigation, whichever is longer). The city may issue standards more stringent than the federal standards if the public works director determines that the limitations in the federal standards are not sufficient to:

A. Protect the operation of the city's treatment facilities; or

B. Comply with water quality standards, sludge disposal or effluent limitations specified in the city's National Pollutant Discharge Elimination System (NPDES) permit.

C. Meet technically based local limits, which must be calculated per federal pretreatment program guidelines. The city must annually provide public notification of industrial users which during the previous 12 months significantly violated applicable pretreatment standards.

(Prior code § 20-12)

13.12.130

Industrial waste permits. Source control of industrial discharges shall be accomplished by use of a permit and monitoring system as described in this chapter. Discharge of industrial waste from any person within the city onto land or to any natural outlet may be permitted only if the discharge complies with all requirements of the regional water quality control board and of all other local, state and federal laws and regulations. (Prior code § 20-13)

13.12.140

Other legal restrictions. Nothing contained in this chapter shall be construed to limit any additional requirements that may be imposed by the County Health Officer, by the Regional Water Quality Control Board, Fish and Game, or by other governmental agencies having jurisdiction. (Prior code § 20-14)

13.12.150

Connections outside city. No discharge from facilities or properties outside the limits of the city shall be allowed into the sewerage system. (Prior code § 20-15)

13.12.160

Screening of industrial waste. No person shall discharge or cause to be discharged to the industrial system an industrial waste that is too large to pass through or, has not been pretreated by being passed through, a screening device with a maximum screen opening of 1.5 millimeters. (Prior code § 20-16)

Article 111. Service Charges and Connection Fees

13.12.170

Classification. All users shall be classified for wastewater collection, treatment and disposal purposes in accordance with the principal activity conducted by the person, or the quantity and quality of discharge, as determined by the public works director. The purpose of classification is to facilitate the regulation of wastewater discharge based on quantity and quality of flow, to provide an effective means of industrial waste source control, and to establish a system of sewage service charges and connection fees which will ensure, but not be limited to, the recovery of city capital, operating and maintenance costs in an equitable manner. It is the responsibility of the user to provide the City a reasonable estimation of wastewater quantity and quality, or other applicable units of measure, and any increases thereof, for the purpose of classification and assessment of service charges and connection fees. (Prior code § 20-17)

13.12.180

Domestic system service charges.

A. Basis. Charges for use of the domestic system shall be determined by the volume, biochemical oxygen demand (BOD) and suspended solids (SS) of wastes discharged.

B. Applicability. Those residential, commercial and industrial users whose discharge of wastes classify them as a moderate-strength user and those dischargers of industrial and commercial wastes that classify as high-strength users shall pay charges as determined in this section. Determination of the category for each specific user shall be made by the public works director.

C. Moderate-strength Users. All moderate-strength users shall be assigned sewage service units. The minimum sewage service units assigned to any commercial and industrial user shall be 1.0 unit. The cost of treating one sewage service unit is calculated by dividing the total operating, maintenance and capital costs of wastewater facilities allocated to moderate strength users by the total number of units. Service charges for moderate-strength

users shall be determined by multiplying the cost of one sewage service unit by the number of sewage service units assigned to each user.

1. Residential user sewage service units shall be based upon the number of bedrooms per dwelling units as follows:

Number of Bedrooms	Sewage Service Units
1	0.75
2	1.00
3	1.25
4	1.50
5	1.75
6	2.00
7	2.25

2. Commercial and industrial user sewage service charges shall be based on the number of sewage service units assigned to each user. The unit of measure for determining the number of sewage service units assigned to each user are as follows:

User Description	Unit of Measure
1. Meeting place, religious	Each 200 seats
2. Meeting place, public	Each 100 seats
3. Hotel, motel without kitchenettes	Each 3 beds
4. Hotel, motel with kitchenettes	Each unit
5. Veterinary clinic	Each 4 employees
6. Post office	Each 15 employees
7. Funeral parlor	Each 3 employees
8. Service station with service garages	Each 2.5 pumps
9. Service station without service garages	Each 7 pumps
10. Car wash, automatic bay	20 SSU's per bay
11. Car wash, self serve bays	2 SSU's per bay
12. School, 8th grade and below	Each 20 students
13. High school	Each 15 students
14. Eating place, seating only	Each 10 seats
15. Eating place, seating and take-out,	Each 7 seats
16. Eating place, "pizza parlor"	Each 35 seats
17. Eating place, take-out only	Each 5 employees
18. Lunch truck business	Each 5 employees
19. Laundry, coin-op., reg. mach.	Each 1.5 machines
20. Laundry, coin op., big mach.	Each 1 machine
21. Comm. laundry and dry cleaning	Each 3 employees
22. Dentist's office	Each 5 employees
23. Office, store, warehouse, manufacturer, Doctor's, Chiropractor's and X-ray offices	Each 8 employees
24. Grocery Store, Supermarket (Having veg/fruit or butcher/meat sections)	Each 4 employees
25. Bar	Each 20 seats
26. Barber, beauty shop	Each 3 workstations

27.	Hospital, convalescent home	Each 3 beds
28.	Rest and retirement home	Each 3 beds,,
29.	Mobile home park	Each 1.33 pads
30.	RV dump station	Each station

One sewage service unit shall be assigned to each unit of measure. Fees shall be based on nearest one-tenth sewage service unit except minimum number of sewage service units shall be 1.0. At the discretion of the Public Works Director a commercial user's service charges and/or connection fees may be based on actual wastewater discharge flows estimated by use of an influent water meter or other appropriate means.

D. High-strength Users.

1. All high-strength user sewage service charges shall be determined based upon the actual quantity of flow, BOD, and SS discharged annually. The unit cost of collection, treatment and disposal for each characteristic shall be determined and multiplied by the measured wastewater characteristics for each user to develop the annual sewage service charge.

2. The unit cost for each of the characteristics set out in subdivision 1 of this subsection shall be determined by: (a) distributing the total capital, operation and maintenance cost between moderate-strength and high-strength users, (b) proportion the costs for high-strength users among various characteristics, and (c) divide the total cost for each characteristic by the total quantity discharged by the high strength users.

3. The sewage service charge shall be determined by multiplying the unit cost by the quantity of each characteristic.
(Prior code § 20-18)

13.12.190

Domestic system connection fees. The connection fee shall cover the capital cost associated with the wastewater treatment facilities capacity which will be utilized by the new discharger. Any actual costs incurred by the city in making the connection shall be separate and in addition to the connection fee described in this section.

A. Moderate-strength user connection fees shall be based on a rate per sewage service unit as assigned under Section 13.12.180. The minimum connection fee for a new commercial or industrial user shall be one sewage service unit and additions or modifications shall be prorated to the nearest 0.1 sewage service unit.

B. High-strength user connection fees shall be based on a unit rate for flow, BOD and **SS**. The estimated annual quantities of each characteristic shall be justified to, and approved by, the public works director for the purpose of determining the connection fee.

(Prior code § 20-19)

13.12.200

Industrial system service charges.

A. Industrial system sewage service charges shall be determined based upon the actual quantity of flow and BOD discharged annually. The unit cost for each characteristic will be determined annually and multiplied by each user's measured effluent characteristics. The total of the two characteristic fees shall be the annual sewage service charge.

B. The unit cost for each characteristic shall be determined by distributing the total operation, maintenance and capital costs to each characteristic at a proportionate rate and dividing each proportionate cost by the total annual quantity of each characteristic discharged to the system. (Prior code § 20-20)

13.12.210

Industrial system connection fees. Fees shall be determined on an individual basis by the public works director and shall be, in part, based upon the value of existing capacity to be utilized and/or the cost of providing additional new capacity. The connection fee shall be based on a unit rate for the cost of treating flow and BOD. (Prior code § 20-21)

13.12.215

Adjustments and additions.

A. Service charge adjustments. When it is found that a reasonable estimation of wastewater quantity or quality, or other applicable units of measure, have not been used for the assessment of sewage service charges the city has the right to make adjustments as determined by the public works director. Undercharges for the period of incorrect billing up to three years, per California Code of Civil Procedures, Section 338, are due and payable on demand and overcharges will be credited.

B. Connection fee adjustments. Any user, after one full year of operating data is available, may request the public works director to make an adjustment, or the public works director may institute an adjustment, if a significant variation exists between the estimated and actual wastewater quantity or quality, or other applicable units of measure. Increases in connection fees shall be due and payable on demand at the time the public works director makes the fee adjustment and decreases will be credited.

C. Connection fee additions. When a user has in the opinion of the public works director significantly increased either wastewater quantity or quality or units of measure over what was used for all previous connection fee calculations, additional connection fee charges shall be assessed for the additional wastewater treatment capacity utilized. Such additional connection fees shall be due and payable on demand at the current rate at the time the public works director makes the determination.

13.12.220

Storm drain and cooling water service charges.

A. The rate for disposal of stormwaters, swimming pool or cooling water discharges, or wash waters into the city's storm drains will be established by resolution.

B. The city shall estimate and determine the amount of storm, swimming pool, cooling water or wash waters deposited into the city's storm drains unless the user of the service elects to provide, install and maintain in good working order an integrating meter satisfactory to the city for the purposes of measuring such storm, swimming pool, cooling water or wash waters.

C. In determining the amount of storm, swimming pool, cooling water or wash waters deposited into the city's storm drain system, no charge shall be made for the storm waters or minor irrigation waters or drainage from roofs, pavements or hard-surfaced areas within the city limits. Where such drainage is metered along with wash water, a credit of one thousand two hundred fifty gallons per year for each one hundred square feet, as projected and measured upon a horizontal plane, of such drainage area tributary to the meter shall be allowed. Where roofs or other areas are sprinkled or flushed, such flushing or sprinkling waters shall be included in the quantities for billing purposes. For areas outside the corporate limits of the city tributary to the city's storm drain system, stormwaters shall be included in the quantities determined for billing purposes and unless otherwise metered, the annual quantity of stormwaters shall be assumed as equal to one thousand two hundred fifty gallons per one hundred square feet, as projected and measured upon a horizontal plane of roof, pavement or hard-surfaced area service. [Prior code § 20-22)

13.12.225

Storm drainage impact fee.

A. Purpose _ Findings.

1. In order to implement the goals and objectives of the city's general plan, and to mitigate the impacts **upon** the drainage system of the city caused by future development, certain public drainage improvements or facilities must be or have been required to be constructed. The city council has determined that a development impact fee is necessary and appropriate in order to finance these public drainage improvements and to pay for each development's fair share of the construction costs of such improvements. In establishing the fee described in this section, the city council has found the fee to be consistent with its general plan, and pursuant to Government Code Section 65913.2, has considered the effects of the fee with respect to the city's housing needs as established in the housing element of the general plan.

2. The city council also finds that the city's storm drain system, which consists of an interconnected network of pumping stations, retention basins and trunk lines, has been planned as

a unified system and constructed in stages since 1963 using a combination of funding sources, including a master storm drain fee. The city council finds that it is in the best interest of the entire city that properties that are to be developed pay the cost of additional storm drain facilities in accordance with the storm drain master plan so such costs will not become a burden on city taxpayers.

B. Established.

1. There is established, upon issuance of all building, use or occupancy permits and subdivision maps for development in the city, a storm drainage fee.

2. This fee is established to pay for public drainage improvements. The city council shall, in a council resolution adopted after a duly noticed public hearing, set forth the specific amount of the fee, describe the benefit, list the specific municipally owned improvements to be financed, describe the estimated cost of these facilities, describe the reasonable relationship between this fee and the various types of new developments, and set forth the time for payment. As described in the fee resolution, this development fee shall be paid by each developer as specified in Government Code Section 53077.5, referring to time of collection. On an annual basis, the city council shall review this fee to determine whether the fee amounts are reasonably related to the impacts of developments and whether the described public drainage facilities are still needed.

3. Said resolution and associated studies shall be available to the general public for a period of at least fourteen days prior to the public hearing.

C. Limited Use of Fee Revenues. The revenues raised by payment of these fees shall be placed in a separate and special account, and such revenues, along with any interest earnings on that account, shall be used solely to:

1. Pay for the City's future construction of drainage facilities described in the resolutions enacted pursuant to subsection B of this section, or to reimburse the city for those described or listed facilities constructed by the city with funds advanced by the city from other sources;

2. Reimburse developers who have been required or permitted by subsection D of this section to install such listed facilities which are oversized, with supplemental size, length or capacity: or

3. Pay for and/or reimburse costs of program development and ongoing administration of the fee program for such public facilities.

D. Developer Construction of Facilities. Whenever a developer is required, as a condition of approval of a subdivision map or development permit, to construct a public drainage facility described in a resolution adopted pursuant to subsection B of this section, which facility is determined by the city to have supplemental size, length or capacity over that needed for the impacts of that development, and when such construction is

necessary to ensure efficient and timely construction of the facility's network, a reimbursement agreement with the developer, and a credit against the fee which would otherwise be charged pursuant to this section on the development project, shall be offered. The reimbursement amount shall not include the portion of the improvement needed to provide services or mitigate the burdens created by the development.

E. Appeals. Any appeal from the imposition of fees under this section shall be done in substantial conformance with the procedures found in Section 13.12.590 of this chapter.

F. Effective Date of Fee. The ordinance codified in this section was adopted at a noticed public hearing, at which time the city council also considered the initial development impact fee resolution. This fee shall apply to the issuance of any building, use or occupancy permit, or for any development approval issued after thirty days following the passage of the ordinance codified in this section. (Ord. 1440 § 1 - 6, 1988)

13.12.230

Holding tank waste charges. The charge for a discharge of holding tank wastes shall be based on the method for determining charges for the high strength user in the domestic system as outlined in Section 13.12.180(D). Characteristics of BOD and SS shall be determined by random sampling of holding tank waste discharges. (Prior code § 20-23)

13.12.240

Charges and fees. The schedule of charges and fees for domestic system service charges and connection fees, industrial system service charges and connection fees, storm drain service charges, inspection sampling and analysis charges, and holding tank waste charges will be those established and adopted by the city council from time to time by resolution. (Ord. 1429 § 1, 1988: prior code § 20-24)

13.12.245

Schedule of charges and fees. The fee schedule for sewage service, connection fees, and monitoring operative, is as follows:

DOMESTIC SYSTEM:*

A. Residential.

1. Sewage service charge.

Number of Bedrooms	Monthly Rate
1	\$ 4.64
2	6.19
3	1.14
4	9.28
5	10.83

6 12.38
7 13.93

2. Connection fee: \$1825.00 per unit*
*"Unit": Sewage service unit, defined as each increment of flow of a typical two-bedroom residence (206 gallons per day and having BOD and SS strengths of less than 300 milligrams per liter). Units for residential, commercial, and industrial users are shown in section 13.12.180.

B. Commercial.

1. Annual sewage service: \$74.28 per unit per year
2. Connection fee: \$1825.00 per unit

C. Industrial.

1. Annual sewage service.
Moderate strength user: \$74.28 per unit per year

High strength user:

Unit Item	Unit Charge
Flow _ MG.	\$357.41 per MG.
BOD _ 1,000 lbs.	174.90 per 1,000 lbs.
SS _ 1,000 lbs.	142.97 per 1,000 lbs.

2. Connection Fee.
Moderate strength user: \$1825.00 per unit.

High strength user

Unit Item	Unit Charge
Flow _ MG.	\$9733.01 per MG.
BOD _ 1,000 lbs.	4009.18 per 1,000 lbs.
SS _ 1,000 lbs.	1805.59 per 1,000 lbs.

INDUSTRIAL SYSTEM:

A. Annual sewage service

Unit Item	Unit Charge
Flow _ MG.	To be determined by the public works
BOD _ 1,000 lbs.	director as outlined in Section
	13.12.200 of this code.

- B.
Connection fee: To be determined by the public works director as outlined in Section 13.12.210 of this code.

HOLDING TANK WASTES:*

- A. Dumping charge: \$54.75 per 1,000 gal.

STORM DRAIN SYSTEM:

A. Storm drain disposal charge: \$66.13 per MG

*Editors Note: Ord.1463 § 5 provides as follows:

The above fees for the Domestic System and Holding Tank Wastes shall be increased 15% annually on October 1 of each year until the White Slough Water Pollution Control Facility expansion has been completed or this ordinance is superseded.

(Ord. 1463 § 1, 1989: Ord. 1428 § 1, 1988)

INSPECTION, SAMPLING AND ANALYSIS:*

*Fee Schedule to be set by resolution.

13.12.250

Billing and collections. All billing and collections shall be per Section 13.04.030 of this code. (Prior code § 20-25)

13.12.260

Appeals. The owner or occupants of any premises who finds that the charges and/or fees provided for in this article are unjust or inequitable may make application to the public works director to have the fees modified, in accordance to Section 13.12.590. A commercial or industrial discharger, after one full year of operating data is available, may request the public works director to make an adjustment, or the public works director may institute an adjustment, if a significant variation exists between the estimated and actual quantities for each characteristic. Increases in connection fees shall be due and payable on demand at the time the public works director makes the fee adjustment and decreases will be credited. Increases or decreases in sewage service charges shall be implemented in the next billing following the determination by the public works director that adjustment is appropriate.

Where water usage is metered, the estimated sewer flows may be compared to a two-bedroom residence (one SSU) to determine or adjust the connection fee or sewage service charge. (Ord. 1463 § 4, 1989: prior code § 20-26)

Article IV. Construction Generally.

13.12.270

Permit. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any sewerage system or appurtenances thereof without first obtaining a written permit from the public works director. (Prior code § 20-43)

13.12.280

Design standards. All construction of public sewerage systems or appurtenances thereof shall conform to the design criteria, the standard plans and specifications and the inspection and testing procedures in accordance with current city standards.

(Prior code § 20-44)

13.12.290

Application for service. Whenever a property owner is desirous of obtaining sewer service where no adequate sewer system exists, an application shall be made to the public works director for sewer service in accordance with Article V of this chapter.
(Prior code § 20-45)

Article V. Extensions

13.12.300

Purpose. The city council is desirous of adopting a sewer service and extension policy that is fair and equitable to all developing properties and that provides that the cost of extension shall be distributed among subsequently developing properties connecting thereto. (Prior code § 20-46)

13.12.310

Application. Whenever a property owner is desirous of obtaining sewer service, an application shall be made to the public works director for sewer service. The public works director shall determine the closest adequate sewer and, if an extension is necessary, indicate the size of the main to be extended and the limits of the extension. (Prior code § 20-47)

13.12.320

Applicant's obligation. Whenever the public works director determines that a sewer extension is necessary, the applicant will be required to install, at the applicant's own expense, the sewer extension in accordance with engineering plans furnished by applicant and approved by the public works director. The plans shall be prepared in accordance with the city design standards.
(Prior code § 20-48)

13.12.330

Extension for full frontage width. In every case where a sewer is to be tapped to serve a parcel, the same shall be extended the full frontage of the parcel unless the public works director determines that the sewer will not need to be extended to serve any other properties. (Prior code § 20-49)

13.12.340

Minimum diameter. The minimum size sewer main shall have a nominal inside diameter of six inches. Larger size mains may be required as determined by the public works director from engineering calculations or the city master sewer plan. (Prior code § 20-50)

13.12.350

Reimbursement Application. Whenever an applicant for sewer

extension constructs or installs a sewer that may serve abutting properties, the applicant may apply for a sewer extension reimbursement agreement. The public works director shall determine the extent to which abutting properties may be served and recommend a sewer extension agreement to the city council prior to construction of any sewer. (Prior code § 20-51)

13.12.360

Reimbursement-Agreement. The sewer extension reimbursement agreement shall contain the following:

A. The amount of the reimbursable costs shall be determined by the public works director and subject to the approval of the city council.

B. Reimbursable costs shall include estimated sewer construction costs, less any applicable credits, plus an administrative and engineering cost of ten percent of the construction cost.

C. Sewer laterals serving individual properties shall not be included as a reimbursable cost.

D. There shall be no reimbursement to the applicant in excess of reimbursable costs stated in the agreement.

E. No interest, finance or security costs shall be included in the reimbursable costs.

F. Reimbursement shall be paid from charges collected by the city from abutting properties as they connect to the new sewer.

G. Reimbursement shall be paid only from charges collected within ten years from the date of the agreement. The city shall have no obligation to pay reimbursement from any source other than reimbursement funds collected pursuant to this chapter. Charges collected from abutting properties after ten years shall be retained by the city.

H. The charges collected for reimbursement shall be based upon front footage parallel to the sewer of the abutting properties.

I. An administrative cost of two percent of the total reimbursable cost shall be deducted from any moneys paid to the city as payment for administering the reimbursement provisions of this chapter.

J. Reimbursement shall be payable to heirs, successors and assigns of the applicant. (Prior code § 20-52)

13.12.370

Reimbursement-Oversize mains. Whenever engineering calculations or the city master sewer plan require that a sewer main larger than ten inches in diameter be installed, the city shall pay to the applicant the difference in cost of material between the actual sewer to be installed and a ten-inch sewer. The difference in costs of material shall be determined by the public works director. Payment shall be made at the time the sewer reimbursement agreement is approved by the city council. (Prior code § 20-53)

13.12.380

Reimbursement_City eligibility. Whenever the city has extended or installed a sewer that will serve abutting properties, the city shall be eligible for reimbursement in a like manner as other applicants. (Prior code § 20-54)

13.12.390

Reimbursement Payment. Whenever the city council has approved a sewer extension reimbursement agreement, the front footage charges shall be collected by the city from any parcel abutting the sewer covered in the agreement at the time of development and prior to sewer service being provided to the abutting parcel. (Prior code § 20-55)

13.12.400

Reimbursement Entitlement letter. When payment for reimbursement-has been made, the public works director shall prepare a letter of entitlement stating the fees collected, reference to the sewer extension reimbursement agreement, the amount to be reimbursed, and the administrative charge to be retained by the city. This letter of entitlement shall be forwarded to the finance director for actual reimbursement under terms of the agreement. (Prior code § 20-56)

13.12.410

Reimbursement Unclaimed. The finance director shall mail the reimbursement-to the last address on file with the finance director of the applicant in the sewer reimbursement agreement. Any reimbursement returned or unclaimed after two years from the date of mailing will revert to the city's general fund. (Prior code § 20-57)

Article VI. Administration

13.12.420

Discharge reports. In addition to the federally required reports described in section 13.12.120, the city may require that any high-strength user discharging, or proposing to discharge, wastewater into a sewerage system, file a periodic discharge report. The discharge report may include, but not be limited to, nature of process, volume, rates of flow, mass emission rate, temperature, pH, production quantities, hours of operation, number and classification of employees, or other information which relates to the generation of waste including characteristics in the wastewater discharge. Such reports shall also include the chemical characteristic and quantity of liquid or gaseous materials used annually as well as those stored on site, even though the latter may not normally be discharged. All reports are due 14 days after the conclusion of monitoring or receipt of the laboratory analysis report and must be signed by an authorized representative of the industrial user. All such

reports shall be retained for a period of three years (or period of litigation, whichever is longer), and shall be made available for inspection and copying by the city. In addition to discharge reports, the city may require information in the form of wastewater discharge permit applications and self-monitoring reports. (Prior code § 20-27)

13.12.430

Discharge permit-Required. All critical users proposed to connect or to discharge into a sewerage system after the effective date of the ordinance codified in this chapter must obtain a wastewater discharge permit before connecting to, or discharging into, a sewerage system. All existing critical users connected to, or discharging into, a sewerage system must apply for a wastewater discharge permit within one hundred eighty days after the effective date of the ordinance codified in this chapter, except for subsection D of this section which shall be ninety days after notification by the public works director. For purposes of this chapter, "critical user" means any user whose user classification is identified in the Standard Industrial Classification (SIC) Manual in any of Divisions, A, B, D, E and I and who (A) has a discharge flow of fifty thousand gallons or more per average workday, or (B) has a flow greater than five percent of the flow in the city's wastewater treatment system, or (c) has in user's wastes toxic pollutants in toxic amounts as defined in standards issued under Section 307 (a) of the Federal Act, or (D) is found by the public works director to have significant impact, either singularly or in combination with other contributing industries, on the treatment or sewerage collection system. (Prior code § 20-28(a))

13.12.440

Discharge permit-Optional. The public works director may issue a wastewater discharge permit to any user in accordance with the terms of this article in the following categories:

- A. A user who requires the user charges and fees to be based on an estimation of wastewater flow;
- B. Any user whose wastewater strength is less than the normal range for the user classification because of pretreatment, process changes or other reasons;
- C. Any single dwelling, office, commercial business, **lodge**, apartment, church or multi-use building user who discharges only domestic waste. (Prior code § 20-28(b))

13.12.450

Discharge permit-Application.

- A. Users seeking a wastewater discharge permit shall complete and file with the public works director an application in the form prescribed by the public works director, and accompanied by any applicable fees. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:

1. Name, address and SIC number of applicant;
 2. Volume of wastewater to be discharged;
 3. Wastewater constituents and characteristics including, but not limited to, those mentioned in Article II of this chapter;
 4. Time and duration of discharge;
 5. Average and thirty-minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;
 6. Any other information determined necessary by the public works director to evaluate the permit application. This may include, but is not limited to, the following:
 - a. Site plans, floor plans, mechanical, and plumbing plans, water supply and discharge information and details to show all sewers and appurtenances by size, location and elevation,
 - b. Description of activities, facilities and plant process on the premises including all materials, processes and types of materials which are, or could be, discharged,
 - c. Each product produced by type, amount and rate of production,
 - d. Number of employees and hours of work.
- B. The public works director will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the public works director may issue a wastewater discharge permit subject to terms and conditions provided in this article. (Prior code § 20-28(c))

13.12.460

Discharge permit-Conditions. Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, user charges and fees established by the city council. The conditions of wastewater discharge permits shall be uniformly enforced by the public works director or assigned agent in accordance with this chapter, and applicable state and federal regulations. Permits may contain the following:

- A. The unit charge or schedule or user charges and fees for the wastewater to be discharged to the sewerage system;
- B. The collection of connection fee, inspection fee and prepayment for the prorated portion of annual user charges, if collected annually;
- C. The average and maximum wastewater characteristics;
- D. Limits on rate and time of discharge or requirements for flow regulations and equalization;
- E. Requirements for installation of inspection, monitoring, and sampling facilities;
- F. Pretreatment requirements;
- G. Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;
- H. Requirements for submission of technical reports or discharge reports;
- I. Requirements for maintaining plant records relating to wastewater discharge as specified by the city, and affording the

city access thereto;

J. Mean and maximum mass emission rates, or other appropriate limits when incompatible pollutants (as defined in Article I of this chapter) are proposed or present in the user's wastewater discharge;

K. Other conditions as deemed appropriate by the public works director to ensure compliance with this chapter and federal and state regulations. (Prior code § 20-28(d))

13.12.470

Discharge permit_Term-Changes-Renewal. Permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. A user discharging after the expiration date of the permit shall be considered in violation of this chapter. It is the responsibility of the user to apply for a new discharge permit 60 days before the expiration date of their existing permit. The terms and conditions of the permit may be subject to modification and change by the city during the life of the permit, as limitations or requirements stipulated in this chapter are modified and changed. The user shall be informed of any proposed changes in user's permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Prior code § 20-28(e))

13.12.480

Discharge permit Transfer. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be assigned, transferred or sold to a new owner, new user, different premises or a new or changed operation without prior written approval of the public works director. (Prior code § 20-29(f))

13.12.490

Discharge permit-Suspension. A permit may be temporarily suspended at any time if it is the public works director's opinion that the continued discharge of the waste or water into the sewerage system would substantially jeopardize the ability of the treatment facilities or sewerage system to meet water quality requirements or would cause an unsafe condition to occur. In lieu of temporary suspension of permits, the public works director may impose such temporary restrictions, conditions or limitations upon the quantities, qualities and rates of discharge made thereunder as deemed necessary to assure that the receiving water quality requirements will not be violated or to alleviate the unsafe condition. Notice of the temporary suspension or the imposition of temporary restrictions, conditions or limitations shall be given in writing by the public works director to the permittee at least twenty-four hours prior to their effective date. Delivery of the notice to the permittee's place of business shall constitute delivery of notice to permittee. (Prior code §

20-28(g))

13.12.500

Discharge permit-Revocation. Any user who violates the following conditions of the permit or of this chapter, or applicable state and federal regulations, is subject to having this permit revoked:

- A. Failure of a user to factually report the wastewater constituents and characteristics of their discharge;
- B. Failure of the user to report in advance significant changes in operations or wastewater constituents and characteristics;
- C. Refusal of reasonable access to the user's premises and/or records for the purpose of inspection or monitoring of all possible sources of pollution;
- D. Failure to pay wastewater bill;
- E. Violation of conditions of the permit. (Prior code §

20-28(h))

13.12.510

Monitoring facilities.

- A. The public works director may require the user to construct and maintain, at the user's expense, monitoring facilities which meet all government safety regulations (**OSHA**) to allow inspection, sampling, and flow measurement of the building sewer or internal storm drainage systems and may also require sampling or metering equipment to be provided, installed, operated and maintained at the user's expense. The monitoring facility should normally be situated on the user's premises, but the public works director may, when such a location would be impractical or cause undue hardship on the user or the city, require the facility to be constructed in the public right-of-way and located so that it will not be obstructed by landscaping or parked vehicles.
- B. When the monitoring facility is inside the user's fence, there shall be accommodations to allow access for the public works director or designated representative, such as a gate secured with a city lock. There shall be ample room in or near such monitoring facility to allow accurate sampling and compositing of samples for analysis. The monitoring facility shall be maintained at all times in a safe and proper operating condition at the expense of the user.
- C. Whether constructed on public or private property, plans and specifications shall be approved by the public works director and be in accordance with all applicable city construction standards and specifications. Construction shall be completed within sixty days following written notification by the city, unless a time extension is otherwise granted by the city. (Prior code § 20-29)

13.12.520

Inspection, sampling, monitoring, and analysis. The public works director or designated representative may inspect the

facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the public works director or designated representative ready access at all reasonable times to all parts of the premises for the purposes of inspection or sampling or in the performance of any of their duties. The public works director or designated representative shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operations and be allowed to copy any of the user's discharge records per 40 CFR 403.12(1)(2). Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with its security guards so that upon presentation of suitable identification, the public works director or designated representative will be permitted to enter without delay for the purposes of performing their specific responsibilities. The user will be charged a fee to recover the costs for inspections (investigations), sampling, monitoring, and analyses performed by the city for purposes of billing and insuring compliance with all regulations. (Prior code § 20-30)

13.12.530

Accidental discharge prevention.

A. Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this chapter. Such facilities shall be provided and maintained at a level of operation comparable to that of the original construction at the user's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the public works director before construction of the facility.

B. The review of such plans and operating procedures by the public works director will in no way relieve the user from the responsibility of modifying the facility to provide the protection necessary to meet the requirements of this chapter. (Prior code § 20-31)

13.12.540

Confidential information.

A. All information and data on a user obtained from reports, questionnaires, permit application, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the public works director that the release of such information would divulge information, processes or methods that would be detrimental to the user's competitive position.

B. When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret

processes shall not be made available for inspection by the public, but shall be made available to governmental agencies for use in making studies; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

C. Information accepted by the public works director as confidential shall not be transmitted to any governmental agency or to the general public by the public works director, until and unless prior and adequate notification is given to the user.
(Prior code § 20-32)

13.12.550

Special agreements. Special agreements and arrangements between the city and any persons or agencies may be established when, in the opinion of the city council, unusual or extraordinary circumstances compel special terms and conditions. However in no case may federal pretreatment standards be waived or modified. (Prior code § 20-33)

Article VII. Enforcement

13.12.560

Accidental discharge notice.

A. Notice to Authorities.

1. Users shall notify the Water/Wastewater Superintendent or the White Slough Water Pollution Control Facilities (WSWPCF) personnel immediately by telephone or in person, or by calling the Public Works Department 24 hr emergency number, upon accidentally discharging wastes in violation of this chapter, or in violation of a city-issued discharge permit to enable countermeasures to be taken by the city to minimize damage to the sewerage system, treatment facility, treatment processes and/or the receiving water.

2. This notification shall be followed, within ten calendar days of the date of occurrence, by a detailed written statement to the public works director describing the cause, location, **type, volume, concentration, date, time, and duration of the** accidental discharge, measures taken to correct the problem, and steps taken to prevent future occurrence.

3. Such notification will not relieve users of liability for any expense, loss or damage to the sewerage system, treatment plant, or treatment process, or for any fines imposed on the city on account thereof under Section 13350 of the California Water Code or for violations of Section 5650 of the California Fish and Game Code.

B. Employee Training. In order that employees of users be informed of the city's requirements, users shall make available to their employees copies of this chapter, together with such other wastewater information and notices which may be furnished by the city from time to time directed toward more effective

water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this chapter. (Prior code § 20-34)

13.12.570

Cease and desist order. When the city finds that a discharge of wastewater has taken place in violation of prohibitions or limitations of this chapter, or the provisions of a wastewater discharge permit, the public works director may issue an order to cease and desist, and direct those persons not complying with such prohibitions, limits, requirements, or provisions, to:

- A. Comply forthwith;
- B. Comply in accordance with a time schedule set forth by the city; or
- C. Take appropriate remedial or preventive action in the event of a threatened violation. (Prior code § 20-35)

13.12.580

Compliance timetable. When the city finds that a discharge of wastewater has been taking place, or is threatening to take place, in violation of prohibitions or limitations prescribed in this chapter, or wastewater source control requirements, effluent limitations or pretreatment standards, or the provisions of a wastewater discharge permit, the city may require the user to submit for approval, with such modifications as it deems necessary, a detailed time schedule of specific actions, which the user shall take in order to prevent or correct a violation of requirements. (Prior code § 20-36)

13.12.590

Appeals.

- A. Any user, permit applicant, or permit holder affected by any decision, action or determination, including cease and desist orders, made by the public works director, interpreting or implementing the provisions of this chapter or in any permit issued in this chapter, may file with the public works director a written request for reconsideration within twenty days of such decision, action or determination, **setting forth in detail the facts supporting the user's request for reconsideration.** The public works director may accept the application, reject the application for sound reasons or direct the applicant, at applicant's sole expense, to maintain and operate in a manner satisfactory to the public works director such indicating or integrating meters as may be required to properly measure the flow, establish sampling equipment, tests and procedures satisfactory to the public works director to determine the characteristics of the wastes.
- B. If the ruling made by the public works director is unsatisfactory to the person requesting reconsideration, the person may, within twenty days after notification of the city's action, file a written appeal to the city council. The written

appeal shall be heard by the council within twenty days from the date of filing. The city council shall make a final ruling on the appeal within twenty days of the hearing. The public works director's decision, action or determination shall remain in effect during such period of reconsideration. (Prior code § 20-37)

13.12.600

Liability. Any person, firm or corporation, or any partner, officer, agent or employee thereof, who deposits or permits to be deposited into the city's sewerage system any wastes other than those permissible under the terms of this chapter and the terms of a valid permit granted under this chapter is liable for any and all damage caused to the city by virtue of such act, including compensation for damage to the city's facilities, and all costs of any legal fees, suits or judgments against the city which may be attributable to such wastes so discharged. (Prior code § 20-38)

13.12.610

Injunction. Whenever a discharge of wastewater is in violation of the provisions of this chapter or otherwise causes or threatens to cause a condition of contamination, pollution or nuisance, the city may petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate in restraining the continuance of such discharge. (Prior code § 20-39)

13.12.620

Damage to sewerage system-Charge. When a discharge of wastewaters or any other substance causes an obstruction, damage or any other impairment to the city's sewerage system, the city shall assess a charge against the user for the work, materials, and services required to clean or repair the affected portions of the sewerage system. (Prior code § 20-40)

13.12.630

Civil penalties. Any person who violates any provision of this chapter or permit condition or who discharges wastewater which causes pollution, or who violates a cease and desist order, prohibition, effluent limitation, national standard of performance, pretreatment or toxicity standard shall be liable civilly to a penalty not to exceed six thousand dollars for each day in which such violation occurs. The city attorney, upon order of the city council, shall petition the superior court to impose, assess and recover such sums. (Prior code § 20-41)

13.12.640

Termination of service. The city may revoke any wastewater discharge permit, or terminate or cause to be terminated wastewater service to any premises, if a violation of any provisions of this chapter is found to exist or if a discharge of

wastewater causes or threatens to cause a condition of contamination, pollution or nuisance as defined in this chapter. The city also reserves the right to immediately disconnect any user, upon informal notice only, in the event of an unlawful discharge which may cause imminent danger to human health, the environment, or which threatens to interfere with the treatment plants operation. This provision is in addition to other statutes, rules or regulations, authorizing termination of service for delinquency in payment.
(Prior code § 20-42)


13.12.650

Public notice of violation. In accordance with Federal Pretreatment Regulations 40 CFR 403 the city shall publish, at least annually in the largest daily newspaper circulated in the service area, a description of those industrial users which are found to be in significant violation with any provisions of this chapter or any permit or order issued hereunder during the period since the previous publication.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 28th day of November 1990



JOHN R. SNIDER
Mayor

Attest :


ALICE M. REIMCHE
City Clerk

=====
State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1501 was introduced at a regular meeting of the City Council of the City of Lodi held November 7, 1990 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held November 28, 1990 by the following vote:

Ayes :	Council Members - Hinchman, Olson, Pinkerton, Reid and Snider (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain :	Council Members - None

I further certify that Ordinance No. 1501 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


ALICE M. REIMCHE
City Clerk

Approved as to Form



BOBBY W. McNATT
City Attorney

